The New-York Daily Times.

VOL. VIII.....NO. 2322. NEW-YORK, THURSDAY, FEBRUARY 17, 1859. PRICE TWO CENTS.

EUROPE.

ARRIVAL of the Steamer by the Baltic.

THE ARMS CELEBRATION IN ENGLAND.

STATE OF THE WAR QUESTION.

Death of Halkin, the Historian.

The Baltic arrived at this port last night, bringing Liverpool dates to the 5th inst., inclusive.

The Arms celebration in honor of the Crimean victories by the Army and Navy, was the great event of the week.

The Queen, Prince Albert, the Princess Royal, Prince of Wales, and Prince Alfred, were present.

The Queen's speech was read by the Lord Chancellor.

The Queen's speech was received with great enthusiasm.

The Lord Chancellor read the dispatches announcing the victories.

The Duke of Cambridge received the Victoria Cross.

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New-York Times, Published, February 17, 1858.

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THE NEW-YORK TIMES.

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Amusements this Evening.

LAURA KEENE'S THEATRE—Our American Cousin—Jerry Lisk.

WALLACK'S THEATRE—The Wrecker, or Pirates and Smugglers.

BURTON'S NEW THEATRE—Our Female American Cousin.

NIBLO'S GARDEN—Wizard & Co.'s Great Equestrian Corps.

PURDY'S NATIONAL THEATRE—Our American Cousin—Poor Caroline.

BOWERY THEATRE—Armorer of Tyre—La Tour de Nesle—Jumbo Jum.

BROADWAY THEATRE — Paul Pry—Rappahelle—Hunting a Turtle.

BARNUM'S AMERICAN MUSEUM—Madame Elvira—European Diversions, &c., &c.

WOOD'S BUILDINGS—Ethiopian Negro Minstrelsy.

BROADWAY, NEAR BLEECKER-STREET—Harvard's Astronomy of Immortality.

Mails Close at the Post-Office.

North—Albany, Buffalo and Canada.....3 P.M.
North and West Way Mail.....5½ A.M.
Western Mail via Erie Railroad.....5½ A.M. and 3 P.M.
South and Southwestern Mail.....7 A.M. and 4½ P.M.
East for Boston, by Railroad.....6½ A.M. and 1½ P.M.
East for Boston, by Steamboat.....3 P.M.

The Overland Mail for California leaves St. Louis every Monday and Thursday, at 9 A.M. Letters designed for it should be marked "Overland, via St. Louis."

The Overland Mail from St. Joseph, (Mo.,) to Placerville, and Salt Lake City, leaves St. Joseph every Saturday, at 8 A.M. Letters should be marked "Overland via St. Joseph."

Ocean Mail Steamers.

The European mails by the New-York, leave for Southampton and Bremen, on Saturday, Feb. 19, will close at the New-York Post-office, at half-past 9 o'clock of that day.

NEWS OF THE DAY.

The proceedings of Congress yesterday were interesting, and in some respects important. In the Senate, the Consular and Diplomatic Appropriation bill was taken up and debated. A motion, made by Mr. Clay, of Alabama, to strike out the appropriation of $75,000 for the expense of sending back to Africa the negroes of the slaver *Echo*, was lost by 40 against 10. The bill was then set aside for the present, to give an opportunity to Mr. Pugh, of Ohio, to offer and speak upon an amendment. The bill, as it at present stands, appropriates an aggregate of $1,012,745. The Cuban bill then came up as the special order, and Mr. Thompson, of Kentucky, addressed the Senate in opposition to the proposed acquisition. His remarks were spiced with humor and sarcasm. In the House the bill to increase the number of Surgeons, Assistant-Surgeons and Pursers in the Navy, was laid on the table. Mr. Stephens, of Georgia, reported from the Committee on Territories a bill providing for a temporary Government in Arizona. Two amendments were proposed looking to the future foundation of the State Government, and prescribing a certain method of proceeding, and another providing that the country should always be free from Slavery, as when acquired from Mexico; when the whole subject, on motion of Mr. Kilgore, of Indiana, was laid on the table, 121 against 72. Mr. Stephens then successively reported bills for the organization of temporary Governments in Dakotah and Jefferson, but they were both also tabled. The action of the House is a pretty certain indication that no new Territorial Governments will be authorized during the present session. The Senate's amendments to the bill granting public land to the States to provide for the founding of agricultural colleges, were concurred in. The principal amendment allows every State having an increase of representation under the census of 1860 twenty thousand acres for each additional representative. The Senate's amendments to the *Indian Appropriation bill were* considered in Committee of the Whole, and the *one transferring the Indian Bureau from* the Interior to the War Department was rejected. The House subsequently concurred in the action of the Committee.

It is now believed that there is not the slightest probability of the House Committee of Ways and Means being able to agree upon any Tariff bill during the present session of Congress, and it is expected that an effort will be made to bring a Tariff measure directly before the House, without any agency or interposition on the part of the Committee. The President is understood to be in very bad humor in reference to the matter, and it is believed he will soon send in a Special Message berating Congress for idleness and factiousness.

Contrary to expectation, the Sherman Investigating Committee did not report yesterday. It is thought they will certainly be able to report by to-morrow, as they held their last meeting last night. The developments foreshadowed in the Times of yesterday created a great sensation in Washington last evening, and several members of the House expressed a determination to call for an inquiry with reference to them. The Printing Investigating Committee, it is understood, will not be able to report this week. Some very curious developments may be looked for when the testimony is made public.

It will be recollected that the Commissioner of Patents a short time since overruled the application of Mr. McCormick for an extension of his patent on reaping-machines. He has written out at length his reasons for refusing a renewal. The patentee realized from his patents of 1845 and 1847 the sum of $1,297,915, which the Commissioner considers ample compensation for the ingenuity and trouble expended, taking into consideration the fact that the great feature of the patent of 1847 —the reaper's seat—is still the property of Mr. McCormick, and can be used only subject to his terms.

In the State Senate, yesterday, the Metropolitan Police law, formed the basis for three reports from the Select Committee on the subject—one in favor of unconditional repeal, the second fully indorsing the law, and the third recommending certain amendments in order to obviate political objections. A bill was introduced by Mr. Spinola to prohibit the location of any Quarantine buildings in Kings County. In the Assembly, various bills were reported favorably,—among them the one to create a new ward in this City out of parts of the Twelfth and Nineteenth, and the one to protect gas consumers. Notice was given of a bill to establish People's Courts in this City, to have jurisdiction in suits involving $15 and under. Notice was also given of a bill to authorize the Governors of the Almshouse in this City to destroy infants with strychnine, instead of subjecting them to the slower process of starvation, or poisoning them with opiates, administered by ignorant and unscrupulous nurses. The Canal Appropriation bill was then debated in Committee of the Whole.

The mails by the *Indian*, at Portland from Liverpool, Jan. 26, were delivered at the Post-Office last evening. They bring the announcement of the death of Hallam, the learned historian, which occurred at London, Jan. 22. The centenary homage to the memory of Burns was rendered in nearly every town of England and Scotland. The celebration at the Crystal Palace at Sydenham, was on the most extended scale; the prize poem, which emanated from an unknown hand, eliciting the warmest approval. The news of continental politics has been principally superseded by the arrival of the *America*, with later dates.

Another California Overland Mail has arrived at St. Louis, with advices three days later from San Francisco. There was nothing of interest stirring in California. The Oregon Legislature have passed a bill changing the Capital of that new State to Portland.

A Convention of the citizens of Allegheny County, Penn., was held at Pittsburg yesterday, to protest against certain taxation which they have been subjected to, for railroad and other purposes, and to express their determination to resist decrees of the Supreme Court proposing to compel the payment of such taxes. The meeting was very numerously attended and very enthusiastic, and the resolutions adopted were of a very decided character.

The ship *Challenger*, Captain Winsor, of Boston, bound for San Francisco, put back to this port, yesterday, having been dismasted in a hurricane on the 1st of February. Captain Winsor makes a full report of the particulars of the disaster, which are published in the Times of this morning. The *Challenger* is a fine ship of 1,351 tons register, built in East Boston in 1853. She had a full California freight, part of which must be considerably damaged. The ship narrowly escaped foundering on account of the heavy cargo of coal with which she was laden, which displaced the heavy part of the cargo. She is owned by Wetmore & Son, Boston, where she is insured.

The *ex-parte* Council, which has under consideration the points presented by the dissatisfied members of Dr. Cheever's Church, continued in session all day yesterday. In the morning Prof. Porter replied to the written statement submitted by the Committee from the Church of the Pilgrims, and in the afternoon the Council sat in secret session. A Committee of five was appointed, who will submit their report this morning.

The Board of Councilmen, at a special meeting yesterday afternoon, concurred with the Board of Aldermen in passing the tax levy for 1859.

At the regular meeting of the Academy of Medicine last evening, Dr. John H. Batchelder read a paper with regard to the uses of compressed sponge. No business of public interest was transacted and the meeting adjourned early.

In another column will be found the decision of Mr. Justice Sutherland, denying the motion made by Mr. Hardenbrook, a witness in the suit of Orr *vs.* Hardenbrook, to be discharged from arrest. He holds that as Mr. Hardenbrook was not subpœned to attend before the Referee, he was not compelled to attend, and so is not entitled to a witness' exemption from arrest.

In the Court of General Sessions, yesterday, before Recorder Barnard, the trial of Michael Forrest, for the murder of Christopher Goff, on December 8th, at the corner of Worth-street and West Broadway, was commenced. The testimony for the prosecution, as to the fact of the killing, is incontrovertible, but the counsel for the prisoner relies for an acquittal on the plea of insanity, or at least of justifiable homicide. The case will be continued to-day. The Grand Jury yesterday indicted John and James Glass, and the other persons charged with the murder of William Decker, at No. 21 Elm-street. There are now nine murder cases for trial.

Yesterday, 800 bales Cotton were sold at former rates. Flour and Corn were less active. Wheat was held above the views of buyers. Coffee was more sought after. Sugars, Rice, Whisky, Spirits Turpentine, Hides, Sole Leather, Scotch Pig Iron and Beef were in demand. Pork and Lard were depressed. Other branches of trade exhibited no remarkable changes. The total number of vessels of all classes in port was 565.

The Cattle Markets have received a little less than an average supply, the number arriving at all the City markets for the week ending yesterday being 3,014, against an average of 3,676 per week last year. The deficiency in numbers was in part made up by the very superior quality and weight of the bullocks in market yesterday. On the strength of the diminished numbers the brokers, who had purchased most of the cattle, succeeded in advancing the prices about ½c. ₱ lb, net weight, on the average rates at last week's market. Mutton is scarce and higher, which adds to the demand for beef. A new feature in the live-stock trade is noticed in our report of this morning. An enterprising Yankee (of course) has commenced—*à la* cattle drovers—buying up live geese and turkeys all the week, driving them to the railroads, and sending them on, in double-decked cars, unslaughtered. They of course arrive here in much better cooking condition than when killed and packed in boxes and barrels. The success of the first attempts indicate that this will, ere long, become an important branch of trade. We hope the next move will be to catch deer and send them on alive, and thus give Eastern people a chance for once to know how fresh venison tastes.

European Affairs.

The news by the *America* is only so far definite as to the advancing complications of matters abroad as to make it plain that France is more fully than ever committed to the leadership of Europe on the question of Italy and the East. The attitude of the Emperor Napoleon is already producing its natural effect; and would even seem to have begun to affect the position of Prussia and Germany, which is less decided in support of Austria than it seemed to be a month ago.

So far as anything can with confidence be predicted upon the confused information which so accurately reflects the perturbed condition of the European mind, it may therefore be said that the tendency of things appears now to be in the direction of peace. For peace depends upon the accession of Austria to the legitimate demands made upon her by France in the interest of Europe; and everything which favors this result is so much gained for the prospects of peace. But we must not expect any decisive light upon the present imbroglio before the arrival of the steamer which left Liverpool on Saturday last, the 12th instant, and which is bringing us the speech of the Emperor Napoleon, made before the Legislative Assemblies of France on Monday, the 7th. For however guarded the Emperor may have been in his discourse on that occasion, he can hardly have failed to give France and Europe some practical inkling of the temper in which Austria has received his pressing demands.

The chaotic intimations of the tidings before us fully confirm the view which we have already urged upon our readers, that the Emperor Napoleon will on no terms recede from his position. He is pushing his warlike preparations with an energy and *éclat* which illustrate alike the tremendous resources of the Empire, and the resolution of its ruler not to suffer the great Austrian problem to remain much longer unsolved. For forty years the Austrian policy has been the perplexity of Europe. One by one the allies of Austria have been alienated from her side; and never was there so fair an occasion as is now presented for bringing her to recognize facts which have for years been plain to all the world beside. That the English Government begins to appreciate this, is indicated by the rumor that England is now urging upon Austria the propriety of submitting her difficulties with France, Russia and the other Powers, parties to the treaty of Paris, to a new European Congress at London. Should Austria accept this proposition, things will rapidly resolve themselves. For however disposed Austria might be to protract the Summer in diplomatic conferences, she is dealing with a Sovereign too astute to suffer her to delay his action by subterfuges and chicanery. A Congress at London would either release Italy from the Austrian influence, and relieve Lombardo-Venetia from her most pressing evils in a very short time, or it would break up rapidly with an open outburst of hostilities.

Those who have any stake in the turn which the politics of Europe may take for the Summer, must not permit themselves, we repeat, to imagine that any positive idea of the drift of things can be obtained before the Legislative discourse of the French Emperor shall reach us. The news by the steamer of the 5th, due at the end of this week, and sailing two days after the opening of the British Parliament, must, in all probability, be only indecisive and preliminary.

Senator Hunter on our Fiscal Policy.—There is in Mr. Hunter's recent speech in the Senate, on the tariff resolution of Mr. Bigler, a great deal of sound sense which commends itself to the attention of every reader prepared to regard this important subject independently of party feeling or previous prejudice. We do not assent to all the views of Mr. Hunter, but we go with him most fully in his opinions on the absurdity of the claim that the most important interests in the Union should be taxed for the special benefit of the State of Pennsylvania. The Senator placed the matter precisely where the Senate, and indeed both Houses of Congress, should keep it. It is a relief to find that in his able and statesmanlike review of the question there is no mention made of party politics—no allusion to "Black Republicans,"—no saving clause in favor of Democrats. It was, in fact, a gentlemanly speech, and therefore a somewhat rare one in Congress.

Mr. Hunter's views in regard to the propo- sition to alter the Tariff, for the purpose of bringing the means of the country up to a level with its liabilities, are judicious and just. The true policy is clearly to reduce the expenditures as nearly as possible to the level of the resources. There can be nothing more obnoxious to commerce, or more inimical to the mercantile interests of a country, than the frequent tinkering of its Tariff. Stability in respect to the charges in the sailing ports is of the greatest consequence to the merchant, whose business would otherwise partake more of the character of speculative gambling than of sound commercial operation. He could never undertake transactions, occupying in their consummation any considerable portion of time, if he found himself unable to rely upon the duration of a Tariff from one session of Congress to another, and especially if it becomes the rule to advance the duties to meet every deficiency in the revenue, or to reduce them in proportion as the Treasury becomes full again.

With Mr. Hunter's views in regard to the superiority of the *ad valorem* system over that of specific duties, it is needless to say that we do not agree. We have already expressed our reasons for preferring fixed rates of duty on most articles of import, and we have yet to see any sound arguments put forward in favor of the sliding scale belonging to the *ad valorem* plan. Mr. Hunter's argument that "specific duties make the consumer pay more when he can less afford it and less when he is best able," proves nothing, when it is remembered that specific duties will, on most articles, make the consumer pay less than he did before under the *ad valorem* system, besides, (which is of much more consequence) withdrawing the invitation to false swearing which seems to be inseparable from *ad valorem* taxation. Specific duties, even at somewhat reduced rates, would, we believe, soon furnish more revenue than is to be obtained from *ad valorem* duties at high rates, since no imports could evade a fixed Tariff, and the expense of collecting the revenue would be very materially diminished. This last item, by the way, is particularly pertinent to the question just at this time.

The Slaughter of the Innocents.

The City of Trieste, the New-York of the Adriatic, was long infested with a plague of small dogs. Dogs murdered sleep at night with their unremitting howls; dogs bit stray children in remote courts and alleys; dogs went mad in the Summer heats, and carried terror through the crowded quays and highways of the populous town. The municipality of Trieste at last resolved to make an end of this. They passed an ordinance that every steamer which left the port should take out with her a certain number of the obnoxious little brutes, and that, after making a certain specified distance, the mariners should incontinently heave the victims overboard. The ordinance was obeyed—(for there are cities in the world in which this phenomenon is still to be observed:)—thousands of yelping curs found a silent grave in the waters of the Northern Adriatic, and Trieste was liberated from a great and growing annoyance. But strangers and sojourners in the land, when they chanced to find themselves on board one of these floating shambles, could hardly repress a shudder of disgust at the apparent cruelty of the process. What, then, must be the feelings of the traveler through these United States, who finds that in the Empire City we virtually mete out to the wretched orphans of humanity the *measure dealt by Trieste to her dogs?*

The attention of the public was called, a few days since, to the condition of the foundlings thrown upon the charity of this City, and dispersed by the Board of Ten Governors among *the poorer classes for support and maintenance*. It was asserted, with no little acrimony, that these unfortunates were dying among us like blighted sheep every day and week of all the Christian year; that they were huddled away, out of sight, as soon as found, and consigned, with inhuman carelessness, to certain disease and suffering; to an early death, or a life so poisoned at its source that death itself were better far for soul and body both—saving the one from years of pain, the other from ages of degradation.

The Committee of the Governors, naturally excited by these charges, on Saturday last, accompanied by members of the Press, made a visitation of the foundlings through a part of the City districts. The report of this expedition is one of the most humiliating pictures of our boasted social organization which has ever been set before us. Children were found in all stages of disease. Lustreless eyes, livid skins, heads unnaturally developed, limbs shrunken and withered, marked nine in ten of these hapless little creatures. Some were found stifling in close and fetid garrets, some hidden away in filthy cellars. The abject misery of their condition in the majority of instances, appears by no means attributable to any special want of humane will and womanly tenderness on the part of the poverty-stricken souls upon whom this great Metropolis has thrust the awful responsibilities of a mercenary maternity. On the contrary, the dreary gloom of the scenes through which we follow the Committee is constantly relieved with gleams of pitying kindness, lavished by the starving nurse upon her starving foster-child, infinitely more touching than all the pathos of impassioned romance. If we have to shudder at instances in which some wretched woman beset with want and care drugs the child she has been hired to put out of the City's way, we must remember that the "charities of poor to poor" are after all no more universal than the charities of rich to rich, and that misery has driven many a natural mother to the like unnatural deeds. It is not our City nurses that we ought to brand as the guilty parties in this slow massacre of the innocents. Nor yet the Ten Governors. For the Ten Governors are but the City's almoners. They must be chary of the City's funds—for charity "grinds no axes," and as there is no party *in interest to be created here by extravagant* jobs and wasteful contracts, the Governors must take heed to their accounts. It is only *in giving alms that our municipal right* hand may know what the left hand doeth.

The Ten Governors are bound to find nurses who will *nurse* not well but cheaply. Who cares for a few infant lives, more or less, in a question of *taxes!* And certainly our taxpayers cannot quarrel with the extravagance of the pay which these poor forlorn women receive. For each child surrendered to the mercies of poverty and neglect, with the certainty of typhus fever and the chance of laudanum, we are charged only *one dollar per week*—a rate at which it would not be easy to keep a thoroughbred pointer in perfect condition. The present *system has the merit* of economy. Does that reconcile our readers to the thought that the Rotunda of the Park has been made a sort of *teocallis*, on which infants are weekly sacrificed by the score to the demons of ignorance and incapacity? If the highest object of a Christian people should be to rid themselves of these sad little waifs of suffering or of sin as fast as they are thrown upon the world, then we can desire no change in our existing arrangements. We are dealing as successfully with our foundlings as Trieste does with her dogs. But if humanity, and Christian justice, and common decency, are to govern our institutions, then it is clear that the report just laid before us demands the immediate establishment of a Foundling Hospital, properly organized, properly administered, and guarded by all necessary precautions against the abuse of its privileges.

Canal Repairs.—The annual expense of keeping the canals in repair has not been far from $700,000. Heretofore the expenditure of that money and the oversight of repairs have been committed to officers styled Superintendents. Of these there was one for each "section," which term indicated a portion of the canals of convenient extent, say twenty or thirty miles. The Superintendents received their appointments annually from the Canal Board; and although their salaries were moderate—say $800 or $1,000—the post was eagerly coveted, as it conferred the power of some minor appointments, and involved the expenditure of considerable money. It is needless to say that, under such conditions in respect to appointment, the Superintendents were usually selected with regard to their political services and qualifications chiefly. Consequently the work which it was their duty to perform was done as politicians might be expected to do it. Contracts for supplies naturally went to the friends of the Superintendent; and if he hired any laborers who would not vote "right," he fell into disrepute with his party. In all counties traversed by canals he was expected to carry the election with the means placed in his hands, unless the preponderance of the adverse party was enormous. In this important service he had the assistance of a small army of scow-men, lock-tenders and foremen, appointed by himself, whose places depended upon their efficiency at the polls. But this system received a severe blow five years ago. In 1854 an act was passed virtually abolishing the office of Superintendent. It directed that the section, so fast as the enlargement should approach a certain stage of completeness, should be let, for the purpose of repairs, to the lowest bidder—the contracts entered into under such bidding to continue three years. Previous to the present year, only six sections had thus been let. Early this Winter the Contracting Board let six more; and on Monday, by a unanimous vote, the remaining sections, fifteen in number, were added. The duties heretofore imposed upon Superintendents, so far as they do not fall upon the contractors, are mainly devolved upon the Resident Engineers, who will be required to see that a good navigation is kept up, and that the State is honestly dealt with by the contractors. The new system is certainly a great improvement, and, if not perfect, is vastly better than the old.

Staten Island Dividends.—There is an interesting process of division going on at the State Capital relative to the responsibilities of the Sepoy war. A dividend was declared the other day, as against the State at large, to the amount of Governor King's military expenses at Quarantine. The Sepoys say that, having burnt down the buildings, they have been able to see no use in placing troops upon the ruins. Perhaps they are right. We are by no means sure they are not. At all events, they aver that the military went there by no request or desire of theirs; and here they are undoubtedly correct. Consequently their opinion is that *the State and not Richmond County should pay* the costs of the campaign. The State will good-naturedly acquiesce, *beyond all doubt*. Then comes up the question as to paying for the burnt edifices. It is not at all likely that the people of Genesee and Niagara and Chatauque, who, unfortunately, lived too far away to share the fun, will consent to be taxed to pay the bill. Staten Island feels in her bones that she is expected to settle this little matter herself. The thing is brought home to her, and we regret to say disturbs the unanimity which has hitherto so happily characterized that lamb-like community. The back towns begin to inquire if all parts of the Island are expected to pay alike. Must the remote hamlets which lie toward Sandy-Hook, and the secluded oyster ports on Kill Von Kull be taxed equally with those privileged to kindle the first torch and pitch out the first sick woman?

Forbid it, justice! What is now claimed in behalf of Sepoys, remotely located, is that the levy to be imposed upon them as incendiaries, to the propriety of which, in the abstract, they have too much good sense to object, should be apportioned with due regard for the equities of position and neighborhood. If this unexceptionable demand should lead to anything like a divided house, the civilized world would have great reason to mourn. Up to this time the cordial unity of the Sepoys has been beautiful to behold, not a man, woman or child in Richmond County having, as yet, expressed the slightest disapprobation of the Quarantine outrage in September.

The India Rubber Controversy.—A very large portion of our space is occupied this morning by one of the parties to the interminable India Rubber controversy, which has engaged more or less of public attention for the last ten years. It seems that Mr. Horace H. Day, whose connection with this manufacture is well known, applied to the United States Courts for injunctions to restrain certain venders of elastic woven rubber goods from importing, manufacturing or selling the same, and based his motions on the ground that by grants from Goodyear, the patentee, he had obtained the exclusive right to, the manufacture and sale, and to license others to manufacture and sell the goods in question. The decision we publish to-day, and it will be seen that the Court, in denying the motions, decided that Day had no right whatever in regard to these goods, and that his privileges as maker, seller, importer or licenser, were confined exclusively to the "shirred or corrugated goods," made according to the patent issued to Goodyear, dated March 9, 1844, and granted to Day by agreements with Goodyear, dated October 29, November 5 and December 5, 1846. The exclusive title to all elastic goods (with the exception of the shirred goods above-mentioned—the title to which is in Day—and of suspenders, the title to which is in the Nashawannuck Company,) is vested in Wm. Judson, Esq., Goodyear's Attorney and Counsel.

On the other side of this controversy, we shall publish to-morrow the argument of Hon. B. R. Curtis, of counsel for Mr. Day, which will present the other side of the case with clearness and force.

PERSONAL.

The Governor and Council of Massachusetts have appointed S. D. Hanscom, Agent to prosecute the Massachusetts Claim at Washington during the present session of Congress, under the authority of a resolve of the Legislature recently passed.

The man Donovan, who was recently convicted in Philadelphia of an assault upon J. M. Church, a member of the Legislature, and sentenced to three months' imprisonment and a fine of $200, has been ordered by Governor Packer.

The following named gentlemen have been appointed Trustees of the Pennsylvania Lunatic Asylum, viz: Dr. Thomas S. Kirkbride, Philadelphia; Dr. John E. Atlee, Lancaster; and Jacob R. Hoy, Esq., Harrisburg.

The officers and crew of the United States ship *St. Mary's*, on station at Acapulco, have sent to Boston the sum of $130, their contribution to the Mount Vernon Fund.

The Troubles in Dr. Cheever's Church.

Second Day's Proceedings of the Ex-Parte Council.

Public Discussion Closed, and the Points of the Appellants Presented.

THE REV. DR. CHEEVER'S PROTEST.

The Council convened promptly at 9 o'clock yesterday morning, and after being called to order by the Moderator, the Rev. Dr. Durbin, prayer was offered by the Rev. Dr. Hawes.

The Moderator then asked whether the Church of the Puritans wished to make any further statement to this their Committee.

Deacon Gilman, Chairman of the Committee, said that the word "customary," when applied to letters of dismissal, meant such letters as were usually given by the Congregational churches through the country. The form adopted in the communion to which he belonged varied from time to time, and was probably taken from the letters of dismissal used in one of the Presbyterian churches of the City. The main point is, that the certificate should state that the member to which it is given is in regular standing, and that is all which is necessary. Deacon G. stated further, that some time ago, at the request of one of the Prudential Committee, the form was in one instance varied from. The Church has a right to vary it from time to time. Allusions have been made to the refusal to grant a Council. It was refused on two previous occasions to the one now in question. On the two first occasions it was asked for on entirely different grounds from those which were stated the last time.

Dr. Bacon interrupted the speaker, and said all they wanted to know was, why the Mutual Council last applied for was refused.

Deacon Gilman replied that probably it was asked for on trivial grounds.

Benjamin K. Phelps, Esq., the Clerk of the Church of the Puritans, then read a written statement which embodied the reply of that Church to the points set forth in the document read by Professor Porter last evening.

It insists that each Congregational Church has a right to use whatever form of letter they please without interference. The form finally adopted was agreed upon after mature deliberation as a compromise between those who desired the appellants should be disciplined and those who were opposed to such extreme measures. The Church felt that they were giving such letters as would admit the brethren into any Church to which they chose to go, and they did not feel they were doing any wrong in exscinding those who had offended and joined themselves to other churches, for those churches were able to judge of the fitness of those individuals for communion with them. When those letters had been repeatedly returned the excision was performed. A departure from all precedent was allowable in a case which was entirely without precedent, and which was anomalous. The document concluded with reasserting the position that the whole case turns on the question as to whether a Church may in extraordinary cases adopt extraordinary measures.

Mr. C. J. Warren said that the document which had been presented, was written at a late hour last night, and with the exception of a few sentences, met with his personal approbation. The feelings of the Church were in favor of giving such letters as would be sufficient to admit the withdrawing members into other churches. The statement that the church had a right to give such letters as it chose, should, of course, be qualified by adding, provided the letters are within the bounds of Christian propriety. The church should never descend to licentiousness. Mr. Warren said, that on one occasion a gentleman, a clergyman whose life was not altogether exemplary, received a letter of dismission, which was qualified at Mr. Woon's suggestion, and in consequence of that deviation from the regular form, the gentleman was not admitted to the Brooklyn Church to which he was recommended.

Prof. Porter asked whether Mr. Warren was aware of there having been any deviation from the printed form of the letters, save in the case of Mr. Hatch, and of these appellants in this Council.

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The Clerk then proceeded to read extracts from the minutes of the meetings in which the application for dismissal was acted on. It was objected to on the ground that it might introduce matter which would necessarily lead to the transgression of the limits the *Council had assigned itself.*

Drs. Bacon and Thompson wished that the extracts should be read, and Dr. Porter opposed it, not because the gentlemen whom he represented shrunk from their being read, but because it might oblige them to introduce testimony to show the spirit in which the meetings were called.

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Dr. Bacon asked whether these applicants had in effect severed their connection with the Church of the Puritans when they applied for their letters by attending other churches, and if so how long before had they begun attending those churches.

Deacon Gilman replied that appellants could answer that.

Dr. Porter said it was alluded to in the body of the pamphlet. There was no objection to a full answer being given if desired.

Mr. Abbott, of the Broadway Tabernacle Church, asked whether letters were given females in the regular form, at the same time that they were given males in the modified form.

The Clerk, Mr. Phelps, replied that there was no objection made to the females receiving regular letters. The others were given under the special direction of the Church, in consequence of the objections which were made.

The Rev. Dr. Spring repeated some questions which had already been asked.

Dr. Porter then proceeded to reply to the statement made by the Committee. He first asked whether the protest of the members against the action of the Church, which was one of the last communications made by the exscinded members, was presented to it as Church as a body.

The Clerk replied that the protest was received by it.

Prof. Porter asked what became of the protest finally—did it or did it not reach the Church?

The Clerk, Mr. Phelps, replied that it did not, as it was not considered necessary that it should be presented.

Prof. Porter asked by whom was it not considered necessary?

Mr. Phelps replied that it was considered unnecessary by himself and some other members of the Church.

Prof. Porter continued to press the question as to who gave the advice to suppress the protest.

Mr. Phelps finally said that he was not on his trial, and that he could not submit to be questioned in that manner.

The Chair thought this cause of interrogation was out of order.

Dr. Bacon thought the Council had nothing to do with the Prudential Committee of the Church, or its Pastor.

In reply to a question from Dr. Porter, Mr. Woon submitted the regular form of certificate, which he said was adopted formally by the Prudential Committee, and which was used the eleven years that he was a member of the Committee. It agreed with the printed form. Only in one instance had that been deviated from, and that was in the case of Mr. Hatch. He stated personally to Mr. H. the grounds of his objection to his receiving a full letter, and he indorsed upon the back of the letter the reasons why he was unwilling that he should receive it. By special agreement Mr. Hatch took the letter. Subsequently, Dr. Cheever, undoubtedly through forgetfulness, was about giving Mr. Hatch a regular letter, which would have taken him into the Rev. Mr. Bacon's Church. Mr. Woon said he objected to its being given him and he did not receive it.

Mr. Phelps said on behalf of Mr. Hatch, who was present, that it was true the letter he received was not in the usual form, but that he was refused admission to Mr. Bacon's Church on other grounds than an informality in the letter.

Prof. Porter then proceeded with his argument in answer to the statement of the Committee. He said that he had been reluctant to have anything to do with this quarrel, and was finally induced to undertake the cause of the appellants, as the members of the Council were undoubtedly induced to act, from the great importance of the principles involved, to Congregationalism, both in this City and through the country. The question presented is not entirely an abstract one as to whether modified

The Troubles in Dr. Cheever's Church.

Second Day's Proceedings of the Ex-Parte Council.

Public Discussion Closed, and the Points of the Appellants Presented.

THE REV. DR. CHEEVER'S PROTEST.

The Council convened promptly at 9 o'clock yesterday morning, and after being called to order by the Moderator, the Rev. Dr. Durbin, prayer was offered by the Rev. Dr. Hawes.

The Moderator then asked whether the Church of the Puritans wished to make any further statement to this their Committee.

Deacon Gilman, Chairman of the Committee, said that the word "customary," when applied to letters of dismissal, meant such letters as were usually given by the Congregational churches through the country. The form adopted in the communion to which he belonged varied from time to time, and was probably taken from the letters of dismissal used in one of the Presbyterian churches of the City. The main point is, that the certificate should state that the member to which it is given is in regular standing, and that is all which is necessary. Deacon G. stated further, that some time ago, at the request of one of the Prudential Committee, the form was in one instance varied from. The Church has a right to vary it from time to time. Allusions have been made to the refusal to grant a Council. It was refused on two previous occasions to the one now in question. On the two first occasions it was asked for on entirely different grounds from those which were stated the last time.

Dr. Bacon interrupted the speaker, and said all they wanted to know was, why the Mutual Council last applied for was refused.

Deacon Gilman replied that probably it was asked for on trivial grounds.

Benjamin K. Phelps, Esq., the Clerk of the Church of the Puritans, then read a written statement which embodied the reply of that Church to the points set forth in the document read by Professor Porter last evening.

It insists that each Congregational Church has a right to use whatever form of letter they please without interference. The form finally adopted was agreed upon after mature deliberation as a compromise between those who desired the appellants should be disciplined and those who were opposed to such extreme measures. The Church felt that they were giving such letters as would admit the brethren into any Church to which they chose to go, and they did not feel they were doing any wrong in exscinding those who had offended and joined themselves to other churches, for those churches were able to judge of the fitness of those individuals for communion with them. When those letters had been repeatedly returned the excision was performed. A departure from all precedent was allowable in a case which was entirely without precedent, and which was anomalous. The document concluded with reasserting the position that the whole case turns on the question as to whether a Church may in extraordinary cases adopt extraordinary measures.

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Mr. Abbott, of the Broadway Tabernacle

The New-York Times, Thursday, February 17, 1859.

FOR SALE. FOR SALE. FOR SALE.

FOR SALE.

RESIDENCE ON THE HUDSON RIVER.—FOR SALE—Situated about 20 miles from New-York, and ¼ of a mile from a depot on the Hudson River Railroad. Commanding an extensive view of the river; good out-buildings; excellent supply of fruit and shade trees. Possession immediately. A large portion of the purchase money can remain on bond and mortgage. Apply to GEORGE JONES, office of the Times.

FOR SALE—THE FIRST-CLASS DWELLING house No. 67 West Thirty-third-st., replete with every convenience and in perfect order; house is first rate in every respect, and the lot 25 feet wide by 98 feet deep; the house is beautifully papered throughout, and parlors frescoed by one of fully papered throughout, and parlors frescoed by one of the best artists in the City Examination on the spot. Price $22,000, and selling on the carpets, all cloths and gas-fixtures. Terms to accommodate. Apply to HOMER MORGAN, No. 3 Pine-st.

FOR SALE—BEAUTIFUL RESIDENCES IN Brooklyn.—Two houses, with ten lots of ground, 125 feet front and rear by 200 feet in depth, viz.: One double gothic cottage, nearly finished on Oxford-st., and one small gothic cottage, nearly finished on Pierrepont-st., in perfect order. Also, in the rear, three Post-and-rail, in perfect order. Also, in the rear, three Post-and-rail, in perfect order. All the modern improvements, and commanding a fine view of New-York Bay; grounds tastefully laid out, and terraced on both streets; some 30 choice and full-bearing fruit trees, and above 40 large ornamental trees of various kinds; an abundance of gravel, currants, &c., &c., all inclosed with fancy wire and wood fences; situated within 15 miles of Fulton or Wall-st. Ferries, and 2 miles from Fulton-av. Railroad cars. This property is convenient to churches, schools, and good, lively business in Brooklyn. It will be sketched into form on the premises, No. 24 Oxford-st., after 4 o'clock P. M., or of J. DAVENPORT, corner of Fulton-av. and Oxford-st.

FARM FOR SALE.—A FARM OF FIFTY ACRES pleasantly situated opposite the village of Belleville, Bergen County; may be divided for two country seats; adjoining the Jersey City Water Works, the Passaic River, and the turnpike leading to New-York; eight miles from the city; there are two dwelling-houses, two good wells of water, large barn, wagon-house, manure-shed, and other out-buildings; about 200 choice fruit trees, and above 40 large ornamental trees of various kinds; an abundance of grapes, currants, &c., &c., all inclosed with fancy wire and wood fences; situated within 15 miles of Fulton or Wall-st. Ferries, and 2 miles from Fulton-av. Railroad cars. This property is convenient to churches, schools, and good, lively business in Brooklyn. It will be sketched into form on the premises, No. 24 Oxford-st., after 4 o'clock P. M., or of J. DAVENPORT, corner of Fulton-av. and Oxford-st.

VALUABLE FARM FOR SALE, NEAR NEWARK, N. J.—The undersigned offers for sale the whole or part of his valuable property, situated on the main road, between Newark and Elizabeth City, containing 38 acres, square form; has fronts on three roads, and fences all facing in good repair. The terms of sale moderate. The property is only three hours's ride, by railroad, of this City —being only two miles from Market-st. Depot. Application to EDWARD F. BUDLOW, Auctioneer, or to the undersigned, at his residence. H. K. TOLER.

FOR SALE—SEVERAL HOUSES ON SECOND-av., between 24th and 25th sts., two-story brick, No. 569, 565 and 567; price $3,000; also, Nos. 535 and 537; price, $6,000. All of the above are new, four rooms deep, with cellar; tenements. Also, No. 126 East 23d-st., 3-story and basement brown-stone basement, all modern improvements; price, $7,000; also, one in 14th-st., near Second-av., 3-story brick house; price, $3,500. Also, one in 1st-av., near 125 acres in a high state of cultivation. Inquire of W. H. PETTERTON, 126 East 23d-st., between 2d and 3d avs.

FOR SALE, LEASE OR EXCHANGE FOR vessel property, a store building at Hunter's Point, Long Island, suitable for a manufacturing or grocery. A steam engine of 65-horse power in good order in the building, and 40 feet attached, with water front. Possession immediately. Apply to HOWES & CO., No. 80 Pearl-st.

FOR SALE—THREE-STORY AND COUNTER cellar house No. 92 Jane-st.; two-story and attic house No. 28 Christopher-st.; 4 lots in 36th-st., north side, between 9th and 10th avs.; 2 lots in 36th-st., north side, between 9th and 10th avs.; 1 lot in 36th-st., north side, between 9th and 10th avs. Inquire of WILLIAM GRANT, No. 241 Bowery.

FOR SALE—NO. 3 PIERREPONT-ST., BROOKlyn Heights, near Clinton-st., three-story attic and basement brick; gas, range, bath, furnace and water closet; size 22x36, 16 feet high; terms easy. For cards to view, and particulars, apply to BY McELRAN, or JOHN BRAINERD, No. 2 Metropolitan Bank Buildings, Pine-st.

FOR SALE—THE LEASEHOLD OF THE THREE-story brick-front house No. 7 Varick-st., on the west side, between Franklin and North Moore-sts., the house has thirteen rooms to run from (Key rent, $700). Ground rent $300 per annum. Term 21 years from May next. For further particulars, inquire of PHILIP R. WILKINS, No. 8 Pine-st.

FOR SALE—THE THREE-STORY AND BASEment brick house and lot No. 67 West 20th-st., a few doors from the Fifth-av. The house is in perfect order, modern improvements, and is pleasantly situated on the north side of the street, with court-yard in front. Part of the money can remain on mortgage. For particulars, inquire on the premises.

FOR SALE—THE FOUR-STORY BROWN-STONE front house, 20x80 feet, No. 26 East 30th-st., between 4th and Madison avs., built in the very best style, and one of the very best blocks on Murray Hill. Can be seen from 9 to 12 A. M. and 2 to 4 P. M. Inquire on the premises.

FOR SALE ON LONG ISLAND.—A FARM OF 60 acres in a good state of cultivation, well-watered, and convenient to market; situated on the Jamaica railroad depôt, 12 Hyerest, 20 miles from New-York City. For information, inquire of JAMES Y. DURYEA, on the premises, or of JAMES L. WOOD, 31 Rose-st., New-York.

FOR SALE VERY CHEAP.—THAT TWO-STORY, basement, cabin and under-cellar house, No. 208 Bridge-st., Brooklyn, second door from Johnson-st. Terms easy. Can be seen at any time. Possession immediately. Inquire of the owner, J. C. SABEL, No. 208 4th-st., New-York.

FOR SALE—A GENTEEL THREE-STORY HOUSE, with the lot, pleasantly located. The house contains all the modern conveniences, and has been painted and papered throughout. Can be seen from 10 to 2 o'clock. Price $11,000. Apply at No. 126 East 12th-st., between 2d and 3d avs.

FOR SALE—NO. 118 EAST EIGHTEENTH-st., near Irving-place, the very neat, modern three-story brick house, with high stoop, marble mantles, Croton water, bath, gas, speaking tubes and dumb-waiter. For further particulars and cards of admission, apply to HOMER MORGAN, No. 3 Pine-st.

NO. 24 PIKE-ST. FOR SALE.—THIS IS A first class house, three stories, basement and under-cellar. The house is 21 feet front, and has all the modern improvements. Will be sold low for cash, or part on bond and mortgage. Apply to PRESTON SHELDON, No. 62 Pine-st., or No. 62 Market-slip.

FOR SALE—THE TWO LOTS WITH BUILDINGS, Nos. 15 and 17 Bullett, (opposite 307 to 309 Bowery, or about 200 feet west of the Bowery; well adapted for buildings for business purposes; will be sold low for cash. Inquire of WILLIAM H. HAWES, No. 241 Canal-st.

FOR SALE, OR A LEASED LOT—THE three-story and basement brick house, No. 113 1st-st., with the rear in the rear; hot and cold water, bath, gas, &c. Lot is 20x100 feet. Rent, rear of the premises, and to suit purchaser. Will sell two properties of 16 years each. Terms easy. Apply on the premises.

FOR SALE—AN ELEGANT HOUSE AND LOT No. 120 West 30th-st., between 5th and 6th avs. Rather less all modern improvements, painted and grained throughout, and in perfect order; and all in perfect order. Also, house No. 122 West 30th-st. Terms easy. Apply on the premises, or to WILLIAM H. JACKSON, No. 201 Broadway.

$600.—CASH FOR A TWO-STORY HOUSE and lot, about 20x40, with cellar, suitable for a grocery or butcher; will exchange for a house in Hoboken; within five minutes' walk of the ferry; lot 25x100 feet; grape vines, &c. Apply on the premises, of C. MONTGOMERY, Jove-st., 9th lot east of Clinton-st., Green Point, L. I.

FOR SALE—THAT A BEAUTIFUL LOCATION on Murray Hill, Fifth-av., high, basement and cellar brown-stone front house, with all modern improvements; stoop and an area cement. Inquire on the premises, situated on Lexington-av., near 30th-st.

FOR SALE OR EXCHANGE FOR CITY PROPERTY.—A fine farm of 161 acres, of land, situated in Pelham, Westchester County, N. Y., 16 miles from City Hall, New-York. For particulars apply to A. S. CASE & CO., No. 96 Broadway.

ROBERT E. HARD—REAL ESTATE AND COLlecting Agent, Office No. 167 Broadway; residence No. 6 Jones-st., near 4th-st. Houses let and leases located, &c. All business intrusted to his care will be promptly and faithfully executed.

REFERENCES:
A. M. Cozz, M. D., No. 123 4th-st.
Leonard W. Kipp, Esq., No. 65 Bleecker-st.
N. D. Harder, Esq., No. 20 Murray-st.
Mathias Clark, Esq., No. 536 Greenwich-st.

EDWARD TIMPSON, HOUSE AND REAL Estate Agent, No. 125 West 30th-st., west of 6th-av. Particular attention paid to the renting of houses and collection of rents. Refers to the Hon. Judge Henry E. Davies, Supreme Court; H. St. Jones & Co., Nos. 52 and 56 White-st.; John Whitaker, Esq., No. 17 Centre-st.; James Vinton, Esq., Cedar and Nassau-sts.; J. Mansfield Davies, No. 96 Wall-st.

ROOFING AND REPAIRING.—OLD SHINgle roofs covered with the celebrated Trenton Asphaltic and Vulcanized Roofing Material; it is by all chemists the above purpose, as fire from it will not set it much less expense. Old tin, iron and all other roofing repaired, painted, and warranted water-tight; expense small. Apply verbally or by letter, from any part of the country, to the manufactory, No. 279 Pearl-st., New-York.

GEO. F. WILLIARD.

FOR SALE.

EXECUTORS' SALE OF DEY, CORTLANDT AND GOUVERNEUR STREETS PROPERTY.—We would call attention to the sale of valuable property, to be made by E. H. LUDLOW & CO., THIS DAY, (Thursday) at 12 o'clock, at the Merchants' Exchange.

DEY-STREET—Four-story 3-story brick store No. 38.

CORTLANDT-STREET—Mixed lot of elegant store No. 20.

GOUVERNEUR-ST.—2 3-story and 2½ story Wicks' st.

BARCLAY-STREET—Valuable house and lot No. 362.

For further particulars, see auction columns in this paper, and maps, &c., at the Auctioneer's office, No. 14 Pine-st.

CHATHAM SQUARE PROPERTY FOR SALE OR LEASE.—No. 167 Chatham-st., corner of Jamestown, and other adjoining. Nos. 1 and 3 James-st. This property may be purchased either together or separately, or would be improved with good buildings, across two or three stores for responsible occupants. Terms of sale favorable. Also, for sale and partial exchange, a substantial, well arranged house in Brooklyn; large portion may remain; and easy country place—price, about $3,000 wanted for balance. CHAS. CARTER, care O. C. CARTER, Office New-York Mutual Insurance.

FOR SALE OR TO LET, OR EXCHANGE for City property, in Bloomfield, N. J., five minutes' walk from railroad depôt, one story fronting the centre public common, in rear, on Morris Canal, a new commodious house, surrounded by deep flowered shade, and fine fruit trees; also, one house in Brooklyn, to exchange for one in Bloomfield. Apply to C. DODD, Jr., on the premises, or to DINGEE & HOLDEN, No. 9 Nassau-st.

FOR SALE—FIVE VERY SUPERIOR STONE fronts dwellings in West 20th-st., near 7th-av., from $9,500 to $14,000.

One three story stone front dwelling in West 20th-st., $9,500.

One three-story brick dwelling in West 20th-st., $10,000.

One elegant three-story brick dwelling in Carlton-av., Brooklyn, $7,000.

Apply to C. E. ADAMS, Real Estate Agent, No. 6 Wall-st., between 11 and 12 o'clock.

FOR SALE—A VERY DESIRABLE FIRST-CHARter house and lot, in 21st-st., near 5th-av. House 20x50, 3 stories, brown stone front, with basement, and all modern conveniences. Lot 20x100. Also, a three-story brick house, with side yard, and rear building, in 21st-st., near 5th-av

The New-York Herald Tribune, Pittsburg, August 17, 1859